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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

BRICKLAYERS AND ALLIED CRAFTWORKERS
 LOCAL UNION NO. 3, AFL-CIO, et al.,

Plaintiffs,

vs.

JP TILE, INC., a California
 corporation, et al.,

Defendants.

) CASE NO.: C 08-1074 MPH
)
) REQUEST TO CONTINUE
) CASE MANAGEMENT
) CONFERENCE; ORDER THEREON
)
) Date: September 21, 2009
) Time: 3:00 p.m.
) Dept: Courtroom 15
) 18th Floor
) US District Court
) 450 Golden Gate
) Ave.
) San Francisco, CA
) Judge: The Honorable
) Marilyn H. Patel
)
)
)
)

For the following reasons, the undersigned parties request
 that the Court continue the case management conference scheduled
 in this matter on September 21, 2009 for a period of at least 90
 days:

On July 6, 2009 Plaintiffs advised this Court of defendant
 J.P. Tile, Inc.'s bankruptcy filing on July 2, 2009. The
 automatic stay as to defendant J.P. Tile, Inc. continues in
 effect.

1 Plaintiffs have now settled with defendant American
2 Contractors Indemnity Company ("ACIC"). Plaintiffs and defendant
3 ACIC are prepared to stipulate to the dismissal of defendant ACIC
4 pursuant to Fed. Rule 41(a)(ii). Counsel for defendant J.P.
5 Tile, Inc. has indicated that the stipulation must be approved by
6 counsel for the bankruptcy trustee. Plaintiffs have requested
7 and are currently awaiting the approval of counsel for the
8 bankruptcy trustee to the stipulation for dismissal of defendant
9 ACIC.

10
11 /s/ Kimberly A. Hancock
12 Kimberly A. Hancock, Esq.
13 Katzenbach and Khtikian
14 Attorneys for PLAINTIFFS

Date: September 14, 2009

15 Robert Scroj, Esq.
16 Ianak & Hanna, P.C.
17 Attorneys for Defendant
18 AMERICAN CONTRACTORS INDEMNITY COMPANY

Date: September 14, 2009

19 ~~PROPOSED~~ ORDER

20 Good cause appearing, it is hereby ORDERED that the Case
21 Management Conference currently set for September 21, 2009 at
22 3:00 PM is continued to January 4, 2010 at 3:00 p.m. in
23 Courtroom 15, 18th Floor.

24 Date: September 16, 2009

